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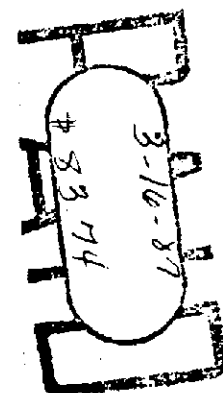
87-363-A
#845

Petitioner: Edgar F. Lassahn
Attorney: Stanley S. Fine, Esquire
Received by: James E. Dyer
Zoning Commissioner

Your petition has been received and accepted for filing this
28th day of January, 1987.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204



Edgar F. Lassahn, 87-363-A
Succor, Belair Rd. and Fullerton
Ave. (7407) Belair Rd.
14th Elec. Dist.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: March 6, 1987
FROM: Norman E. Gerber, AICP, Director, Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 87-363-A, 87-366-A, 87-373-A and 87-378-XA

This office believes that the current regulations provide for ample signage and that there are no site specific related problems here. Consequently, this office is opposed to the granting of the subject requests.

Norman E. Gerber, AICP
Director

NEG:JGH:sib

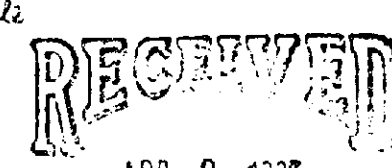
CPS-008



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXX

April 8, 1987



ZONING OFFICE

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: CASE NUMBER 87-363-A

Dear Mr. Jablon:

This office has received a letter from Mr. Stanley S. Fine, Attorney for the Taco Bell Restaurant, located at 7407-15 Belair Road.

Attached to Mr. Fine's letter was a copy of the site plan for this restaurant and a copy of the zoning order for case #87-363-A which requested that this office approve the plan.

The site plan fails to meet minimum standards in the following:

- 1) All stacking spaces must be at least 20 feet long.
- 2) The turning radius for the drive through lane must be at least 15 feet for the inside radius and 25 feet for the outside radius.
- 3) The drive through lane must be able to accommodate a AASHTO design vehicle "P" as shown on page 24 of "A Policy on Geometric Design of Highways and Streets 1984", copy of which is enclosed.

The enclosed revised site plan as marked in red does meet with our approval. Provided that the developer's engineer revises the curblines to accommodate the recommended changes and indicates the 8 stacking spaces properly, we will have no problem in approving the revised site plan.

Very truly yours,

Stephen E. Weber, Assistant Traffic Engineer
Department of Traffic Engineering

SEW:MSF:bxa

Enclosures (2)

cc - Mr. Dave Billingsley
Mr. Stanley S. Fine
Mr. Peter Zimmerman, Deputy People's Counsel

24 AASHTO—Geometric Design of Highways and Streets

Design Controls

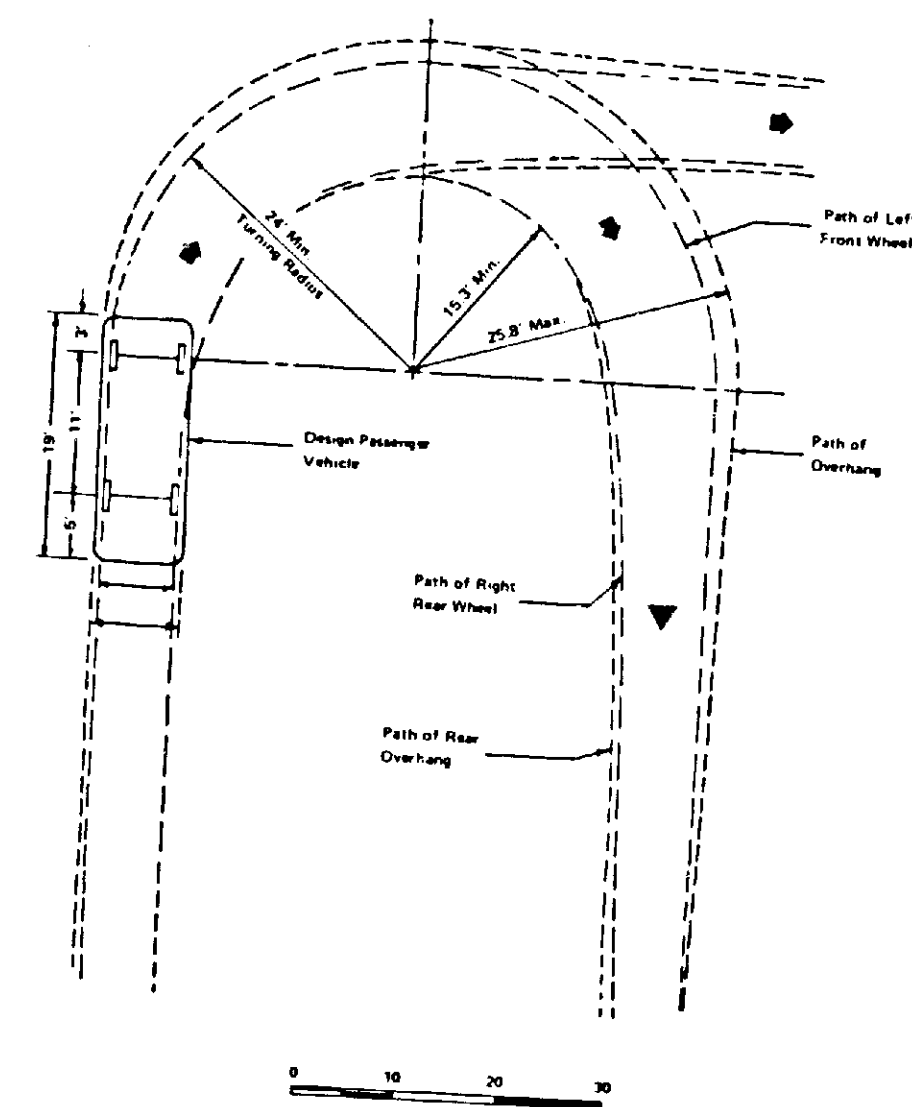


Figure II-1. Minimum turning path for P design vehicle.

Figure II-2

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 2, 1987

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc:

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Stanley S. Fine, Esquire
Kaplan, Heyman, Greenberg,
Engelman & Belgrad, P.A.
20 S. Charles Street, 10th Floor
Baltimore, Maryland 21201

RE: Item No. 245 - Case No. 87-363-A
Petitioner: Edgar F. Lassahn
Petition for Zoning Variance

Dear Mr. Fine:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Hudkins Associates, Inc.
200 East Joppa Road
Shell Building, Room 101
Towson, Maryland 21204



Maryland Department of Transportation
State Highway Administration

JAN 12 1987

William K. Hellmann
Secretary
John Kassoff
Administrator

January 5, 1986

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. James Dyer

Re: ZAC Meeting of 12-23-86
ITEM: #245
Property Owner: Taco Bell Corp.
(Edgar F. Lassahn)
Location: SE/S Belair Rd.,
Route 1-N at the intersection of
Fullerton Avenue
Existing Zoning: B.L. - CS2
Proposed Zoning: Variance to
permit 27 parking spaces in lieu
of the required 33 spaces
Area: 0.719 acres
District: 14th Election District

Dear Mr. Jablon:

On review of the submittal of 2-22-86 (Revised 12-5-86) for Taco Bell, the State Highway Administration finds the concept plan generally acceptable, showing ingress only at Belair Road, Route 1-N and two way access at Fullerton Avenue with eight (8) vehicles parked on the site.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

My telephone number is (301) 333-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 107 North Calvert St., Baltimore, Maryland 21202-0717



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

FEBRUARY 20, 1987

Re: Zoning Advisory Meeting of DECEMBER 23, 1986
Item # 245
Property Owner: EDGAR F. LASSAHN
Location: (TACO BELL CORP.)
SE/CORNER BELAIR RD. & FULLERTON AVE.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 72-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- (X) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- (X) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- (X) Additional comments:

LANDSCAPE MANUAL SEC. V.A.3 - "IN COMMERCIAL, OFFICE, INDUSTRIAL ZONES, INCREASES IN THE FLAG AREA OF ACCESS TO THE STREET, BECAUSE THAT THE BUILDING THE SITE IMPROVED CONFORMS TO THE STANDARDS IN THE MANUAL. FOR LANDSCAPE REQUIREMENTS CONTACT AVERY HARDEN AT 494-3335."

David Fields, Acting Chief
Current Planning and Development

cc: James Hossel



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 21, 1987

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 245 -ZAC- Meeting of December 23, 1986
Property Owner: Taco Bell Corp. (Edgar F. Lassahn)
Location: SE/S Belair Road at the intersection of Fullerton Avenue
Existing Zoning: B.L. - CS2
Proposed Zoning: Variance to permit 27 parking spaces in lieu of the required 33 spaces
Area: 0.719 acres
District: 14th Election District

Dear Mr. Jablon:

This department has reviewed the site plan for this site and has the following comments:

1. Seven stacking spaces should be provided from the order board.
2. The stacking spaces must be 20' long.
3. All 90° turns on the drive-thru lane must have an inside radius of 12' and an outside radius of 25'.
4. The variance to parking can be expected to cause parking problems on the residential streets in the area.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate II

MSF:1c

FEB 3 1987
ZONING OFFICE

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 245, Zoning Advisory Committee Meeting of 12-23-86

Property Owner: Taco Bell, Inc.

Location: SE/S Belair Rd. District 14

Water Supply mtio Sewage Disposal mtio

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86

LAW OFFICES
KAPLAN, HEYMAN, GREENBERG, ENGELMAN & BELORAD, P.A.
TENTH FLOOR SUN LIFE BUILDING
20 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(301) 539-6967

RECEIVED
DEC 29 1986

ZONING OFFICE

December 24, 1986

Arnold Jablon, Esquire
Zoning Commissioner, Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Zoning Variance
7407-15 Belair Road
Taco Bell Corp./Lassahn
Item #245

Dear Mr. Jablon:

Please be advised that this firm represents the Petitioner, Taco Bell Corp., in the above matter. I respectfully request that an early hearing be scheduled in this matter.

Thank you for your consideration.

Sincerely,

Stanley S. Fine
Stanley S. Fine

SSF:bmh

Zoning Item # 245 Zoning Advisory Committee Meeting of 12-23-86
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____
{ } All percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

IN RE: PETITION ZONING VARIANCE * BEFORE THE
SW/Corner of Belair Road and * ZONING COMMISSIONER
Fullerton Avenue (7407 Belair * OF BALTIMORE COUNTY
Road) - 14th Election District *
Edgar F. Lassahn, * Case No. 87-363-A
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

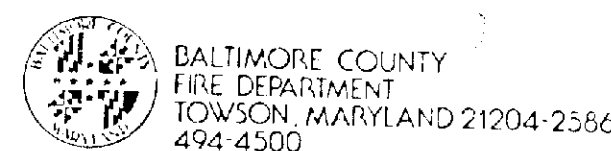
The Petitioner herein requests a variance to permit 27 parking spaces in lieu of the required 33 spaces.

The Petitioner, by David D. Bock, Area Construction Manager, Taco Bell Corporation, appeared and testified and was represented by Counsel. David Billingsley, a land surveyor, also testified on behalf of the Petitioner. There were no Protestants.

At the onset of the hearing, the Petitioner moved to amend his Petition to request 27 parking spaces in lieu of the required 34 spaces, as shown on the site plan identified as Petitioner's Exhibit 1. The motion was granted.

Testimony indicated that the subject property, zoned B.L. and located at the corner of Belair Road and Fullerton Avenue, is improved with a Taco Bell restaurant. The Petitioner proposes to add a drive-thru, which requires a 9' x 10' building addition to be constructed. The revisions to the site will necessitate the reduction of available parking to 27 spaces. Based on its experience and the experience of the industry, Taco Bell estimates that 40 to 50 percent of the business will use the drive-thru, thereby reducing the need for parking on the site. Without the drive-thru, Taco Bell will be at a great disadvantage, because it will not be able to compete with other fast-food restaurants in the area which currently provide drive-thru facilities for their customers.

ORDER RECEIVED FOR FILING
Date 12/24/86
By John P. Langford



PAUL H. REINCKE
CHIEF

December 23, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Taco Bell Corp. (Edgar F. Lassahn)
Location: SE/S Belair Rd. at the intersection of Fullerton Ave.
Item No.: 245 Zoning Agenda: Meeting of 12/23/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY John Kelly, 12/23/86 Noted and Approved: John F. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

The Petitioner seeks relief from Section 409.2.b.(3), pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Solry, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

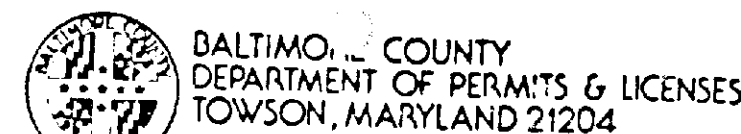
Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

- 2 -



TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 245 Zoning Advisory Committee Meeting are as follows:

Property Owner:

Location:

District:

APPLICABLE ITEMS ARE CIRCLED:

- A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 417-85, the Maryland Code for the Handicapped and Aged (A.B.S.I. 417-1 - 1986) and other applicable Codes and Standards.
- B. A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 Use Groups require a one hour wall, if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 107, Section 108 and Table 101. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The scales of the Plans are from 1/8" = 1'-0" to 1/4" = 1'-0" or to Mixed Scale. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Flood/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill 417-85. Site plans shall show the current elevations above sea level for the lot and the finish floor levels including basement.
- J. Comments: Only one Handicapped space is shown. -2 a/w required along with signs, ramps curb cuts at Belair Rd and Fullerton Ave as per the State Handicapped Code.
- K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. The applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204. Any variances of the State B.C. Code shall be by the Codes Administrator for the State Department Economic & Community Dev. Building Plans Section. *Michael S. Belorad*

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of March, 1987, that the Petition for Variance to permit 27 parking spaces in lieu of the required 34 spaces be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- Compliance with the requirements of the Baltimore County Landscape Manual (BCLM).
- A revised site plan, which has been approved by the Department of Traffic Engineering, shall be submitted to the Zoning Commissioner.

John F. O'Neill
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Stanley S. Fine, Esquire

People's Counsel

ORDER RECEIVED FOR FILING
Date 12/24/86
By John P. Langford

245 87-363-A PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2 b(3) to permit parking spaces in lieu of the required 33 spaces (7407-15 Belair Road)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1) That without the requested variance, Petitioner will sustain practical difficulty and unreasonable hardship relating to the business at the property.

2) The requested variance will not harm the public health, safety and general welfare of the area, and it is in accordance with the spirit and intent of the Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
Taco Bell Corp.
Signature: *David D. Bock*
David D. Bock, Area
Construction Manager
11 Eves Drive, Suite 170
Marlton, NJ 08053
City and State

Legal Owner(s):
Edgar F. Lassahn
(Type or Print Name)
Signature: *Edgar F. Lassahn*
(Type or Print Name)
3825 Bay Drive
Baltimore, Maryland 21220
City and State

Attorney for Petitioner: Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A.
By: Stanley S. Fine
(Type or Print Name)
Signature: *Stanley S. Fine*
20 S. Charles St., 10th Floor
Baltimore, Maryland 21201
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Edgar F. Lassahn
Name
Same as above
Address
Phone No.

Attorney's Telephone No.: 539-6967

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day

of January 19, 1987, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of March, 1987, at 9:30 o'clock A.M.

Arnold Jablon
Zoning Commissioner of Baltimore County.

(over)

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-0880
April 27, 1986

BEL AIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 838-0888

DESCRIPTION FOR ZONING VARIANCE - 7407 BELAIR ROAD:

Beginning for the same at the point formed by the intersection of the southeast side of Belair Road (60 feet wide) with the west side of Fullerton Avenue (30 feet wide) thence (1) South 55 degrees 29 minutes 43 seconds East 146.78 feet (2) South 39 degrees 56 minutes 16 seconds West 74.52 feet (3) South 50 degrees 12 minutes 43 seconds East 82.03 feet (4) South 40 degrees 31 minutes 16 seconds West 100.00 feet (5) North 50 degrees 12 minutes 43 seconds West 230.00 feet and (6) North 40 degrees 31 minutes 16 seconds East 161.00 feet to the place of beginning.

14TH ELECTION DISTRICT

Malcolm E. Hudkins
Registered Surveyor #5095

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 25, 1987.

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 25, 1987.

TOWSON TIMES,

Susan Shuler
Publisher

39.78

PETITION FOR ZONING VARIANCE

14th Election District

Case No. 87-363-A

LOCATION: Southwest Corner of Belair Road and Fullerton Avenue (7407 Belair Road)
DATE AND TIME: Monday, March 16, 1987, at 9:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit 27 parking spaces in lieu of the required 33 spaces

Being the property of Edgar F. Lassahn, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SW Corner Belair Rd. & Fullerton Ave. (7407 Belair Rd.), 14th District : OF BALTIMORE COUNTY
EDGAR F. LASSAHN, Petitioner : Case No. 87-363-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 13th day of February, 1987, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, Esquire, Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A., 20 S. Charles St., 10th Floor, Baltimore, MD 21201; and Taco Bell Corporation, David D. Bock, Area Construction Manager, 11 Eves Dr., Suite 170, Marlton, N.J. 08053.

Peter Max Zimmerman
Peter Max Zimmerman
FEB 17 1987

ZONING OFFICE

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333
ARNOLD JABLON
ZONING COMMISSIONER
JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER
March 10, 1987

Stanley S. Fine, Esquire
Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A.
20 South Charles Street
10th Floor
Baltimore, Maryland 21201

RE: PETITION FOR ZONING VARIANCE
SW/cor. Belair Rd. and Fullerton Ave.
(7407 Belair Rd.)
14th Election District - 6th Councilmanic District
Case No. 87-363-A

Dear Mr. Fine:

This is to advise you that \$83.74 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 33065

DATE 3/16/87 ACCOUNT R-01-515-000

SIGN & POST
RETURNED 3/16/87 AMOUNT \$83.74
Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A., 10th Floor, Sun Life Bldg., Towson, Md. 21201

ADVERTISING & POSTING COSTS RE CASE #87-363-A

FOR: B010*****337414 0156F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 14TH Date of Posting 7/17/87
Posted for Variance
Petitioner: Edgar F. Lassahn
Location of property: SW/cor. Belair Rd. & Fullerton Ave. (7407 Belair Rd.)
Location of Sign: Posting in Intersection of Belair & Fullerton, 10th Floor, Sun Life Bldg., ex. property of petitioner.
Remarks: *M. H. Jung*
Posted by M. H. Jung
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 26, 1987.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 26, 1987.

THE JEFFERSONIAN,

Arnold Jablon
Publisher

Cost of Advertising
28.96

11-19-87

Stanley S. Pine, Esquire
Kaplan, Heyman, Greenberg, Engelman
& Belgrad, P.A.
20 South Charles Street, 10th Floor
Baltimore, Maryland 21201

January 30, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
SW/cor. Belair Rd. and Fullerton Ave.
(7407 Belair Rd.)
14th Election District
Edgar F. Lassahn - Petitioner
Case No. 87-363-A

TIME: 9:30 a.m.

DATE: Monday, March 16, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 29865

Commissioner
of the County

Manager

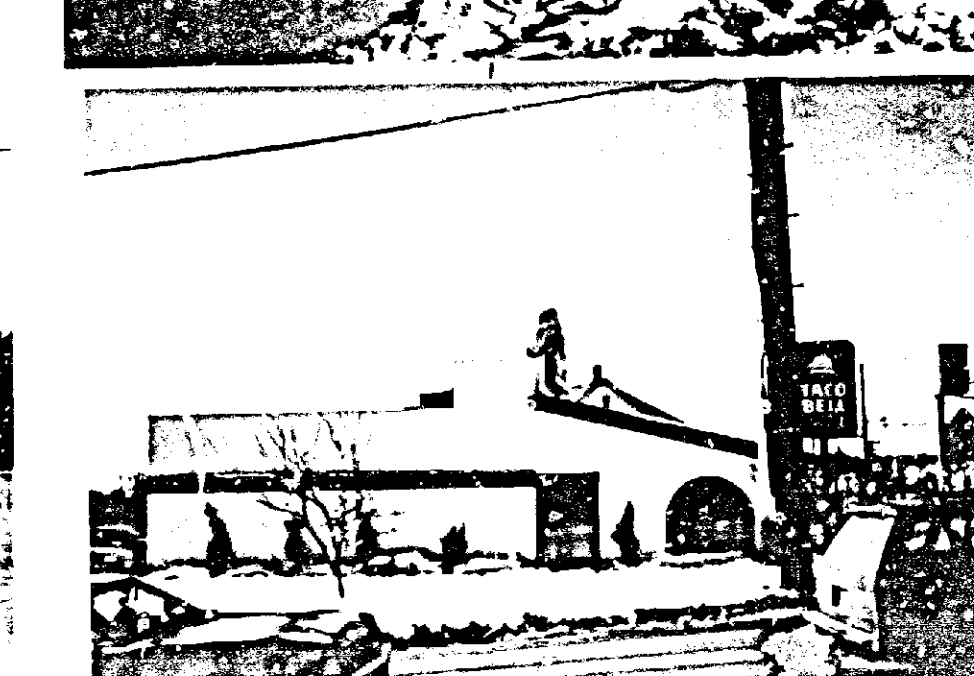
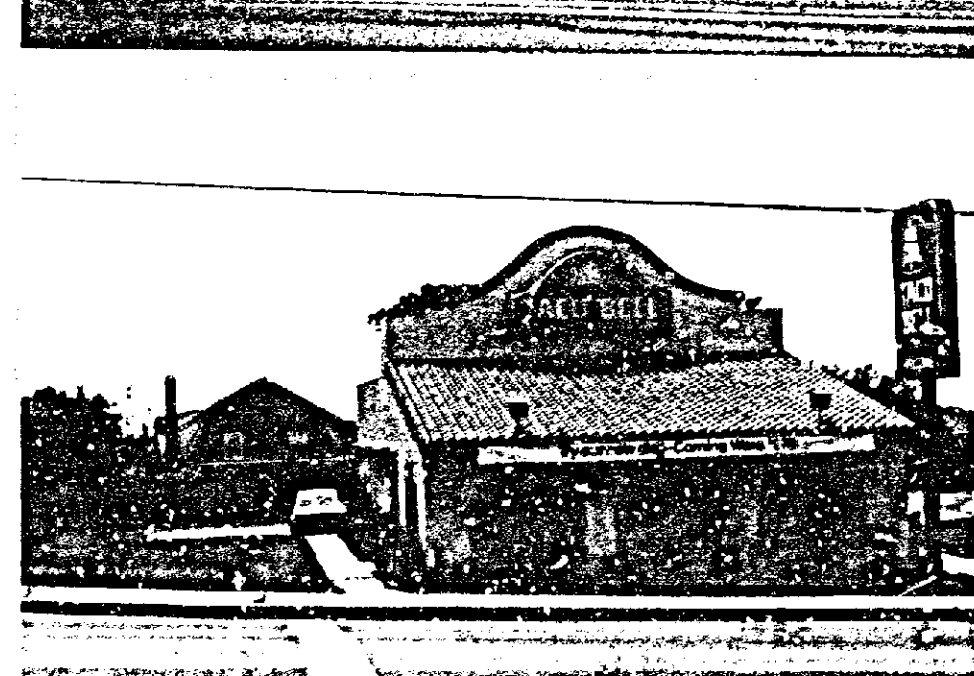
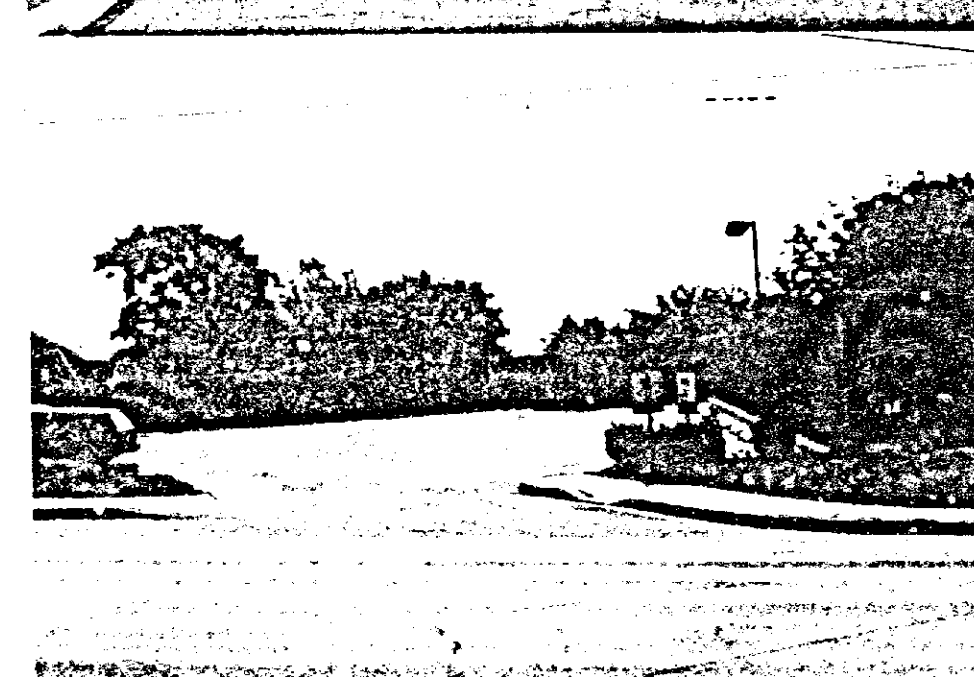
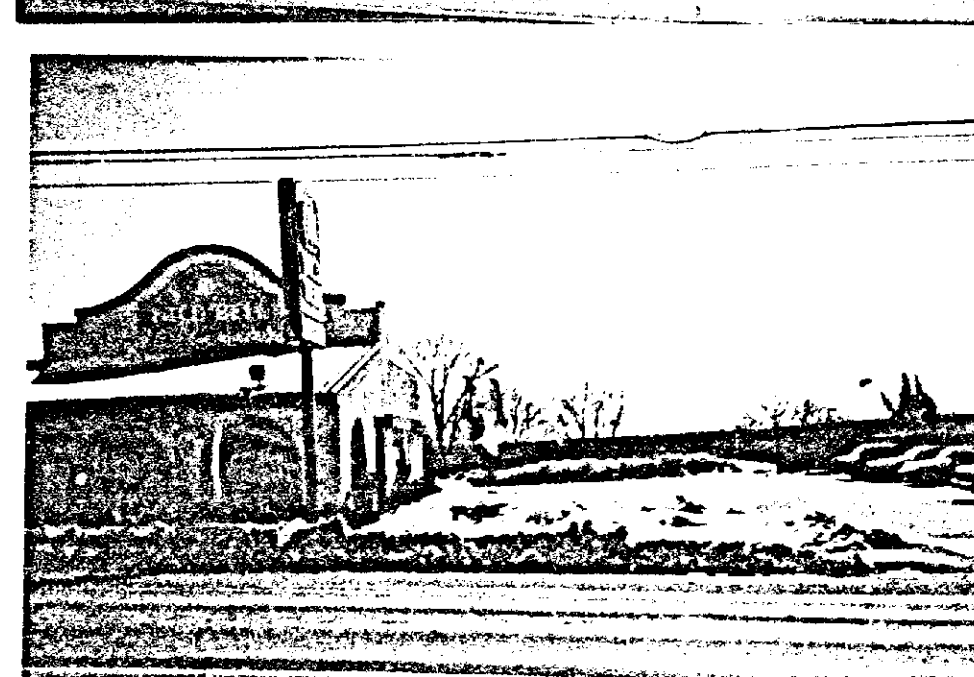
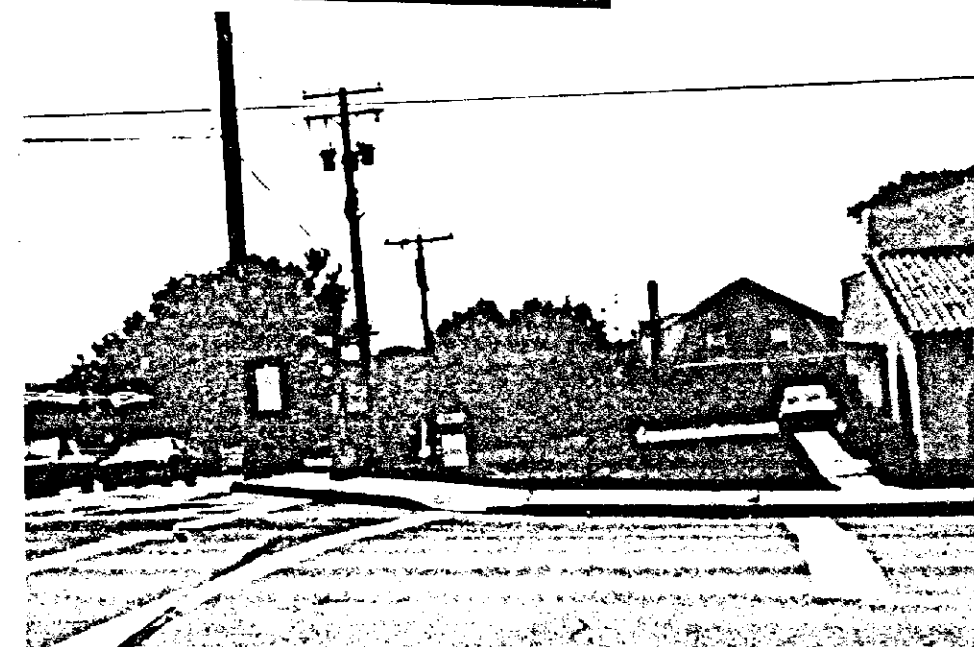
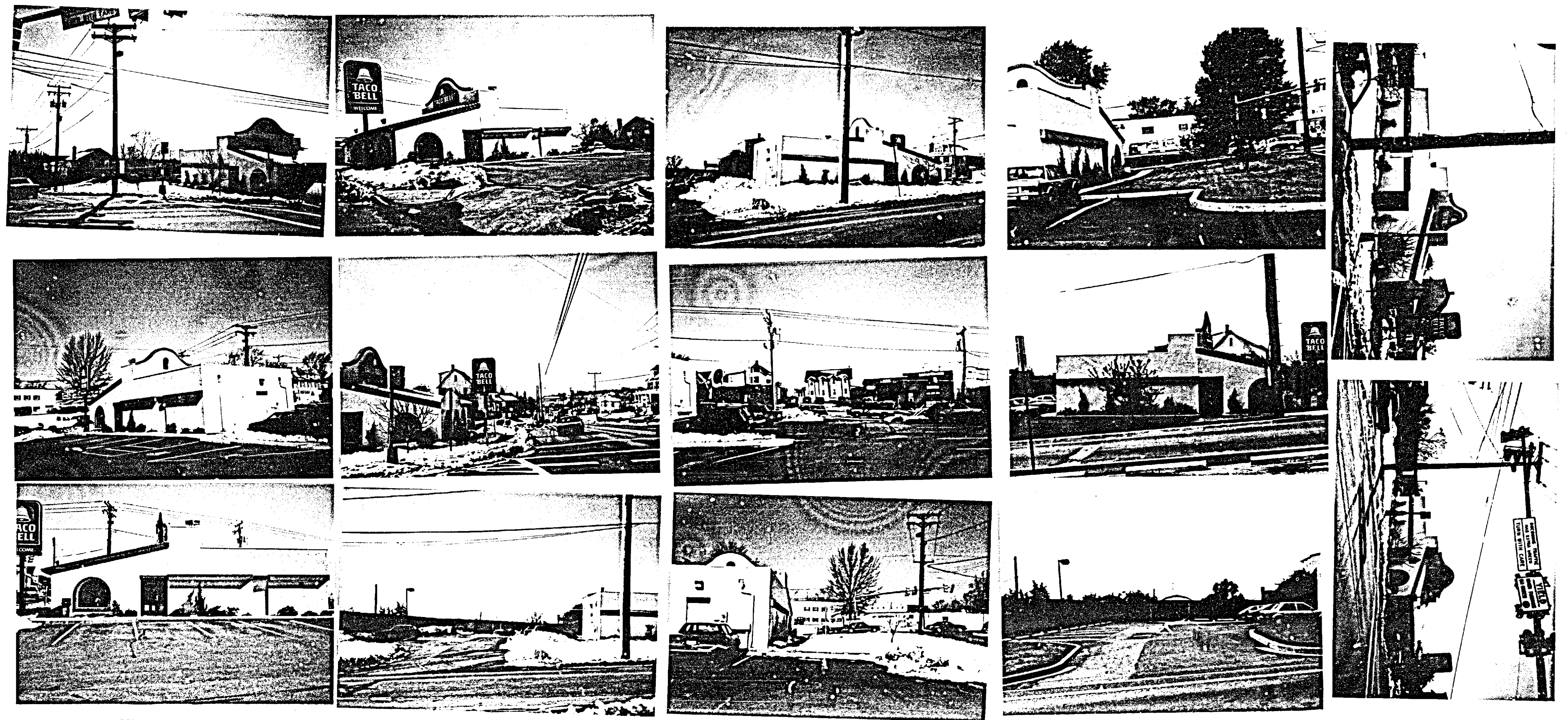
DATE: ACCOUNT:

AMOUNT \$

RECEIVED
FROM

FOR

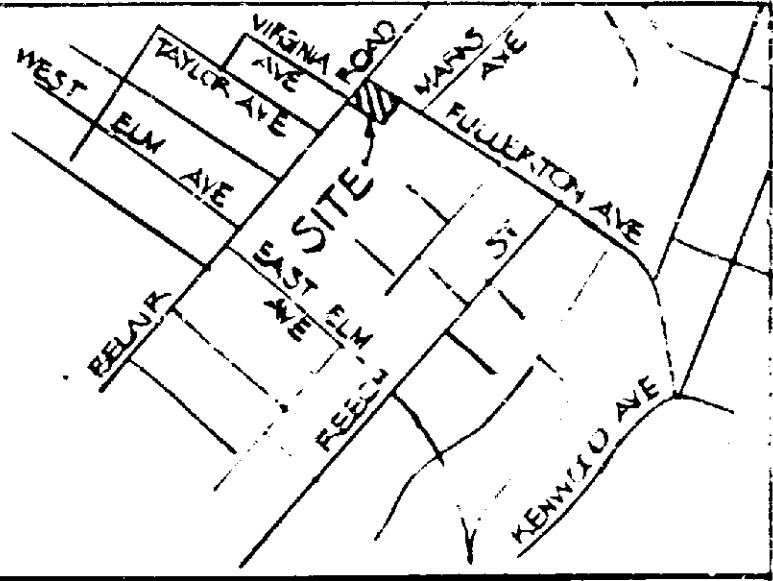
VALIDATION OR SIGNATURE OF CASHIER



11-17-87

BELAIR ROAD (U.S. RTE. 1)
(60' R/W)

PLANT SCHEDULE			
KEY	QUANT.	BOTANICAL NAME COMMON NAME	SIZE
A	8	TAXUS CUSPIDATA INTERMEDIA MEDIA YEW	3.0" HT 8.4 B
B	11	TAXUS CUSPIDATA NANA DWARF YEW	1.6" HT 8.4 B



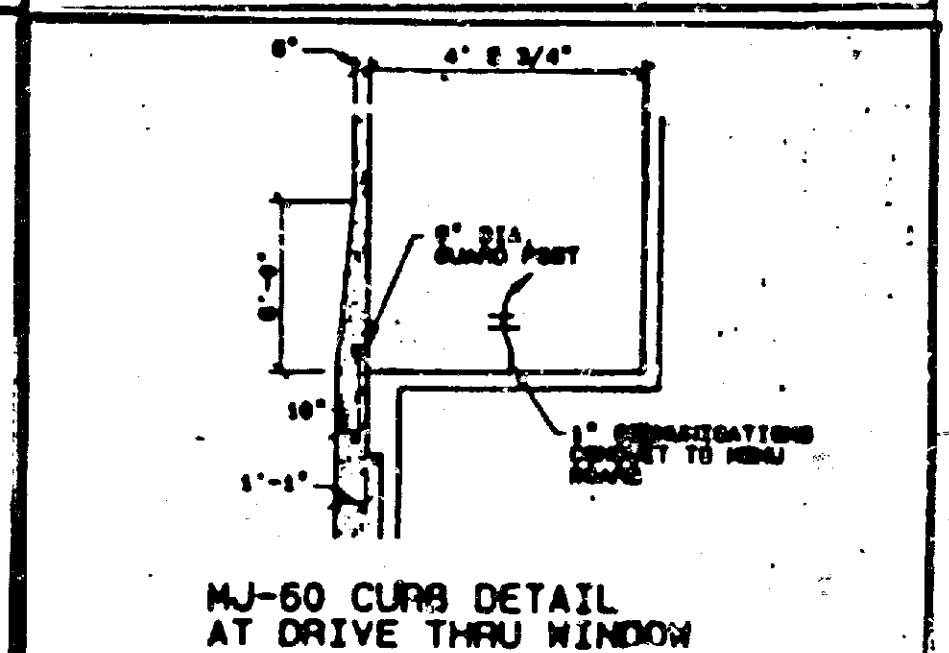
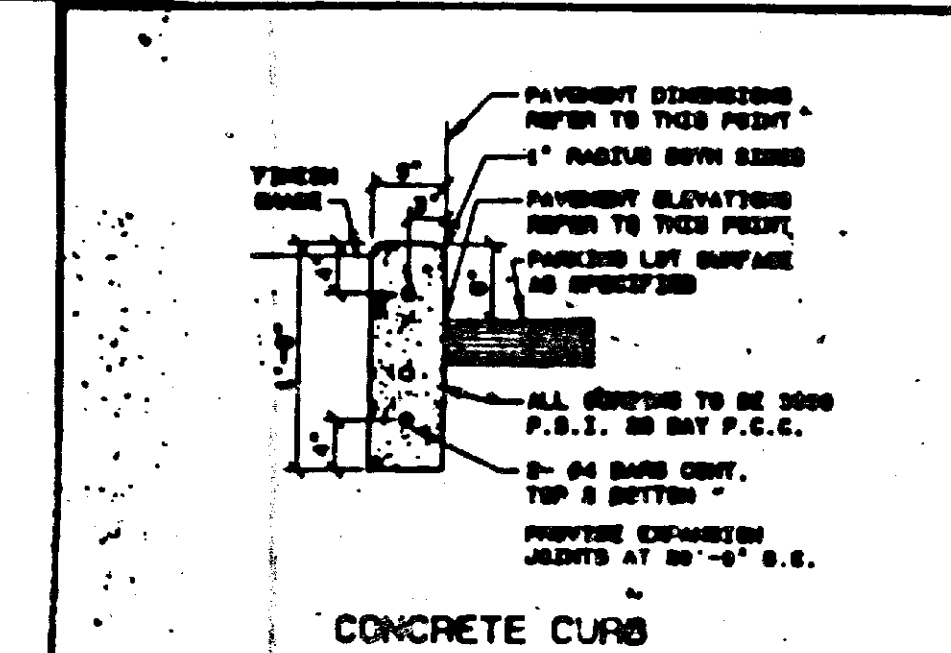
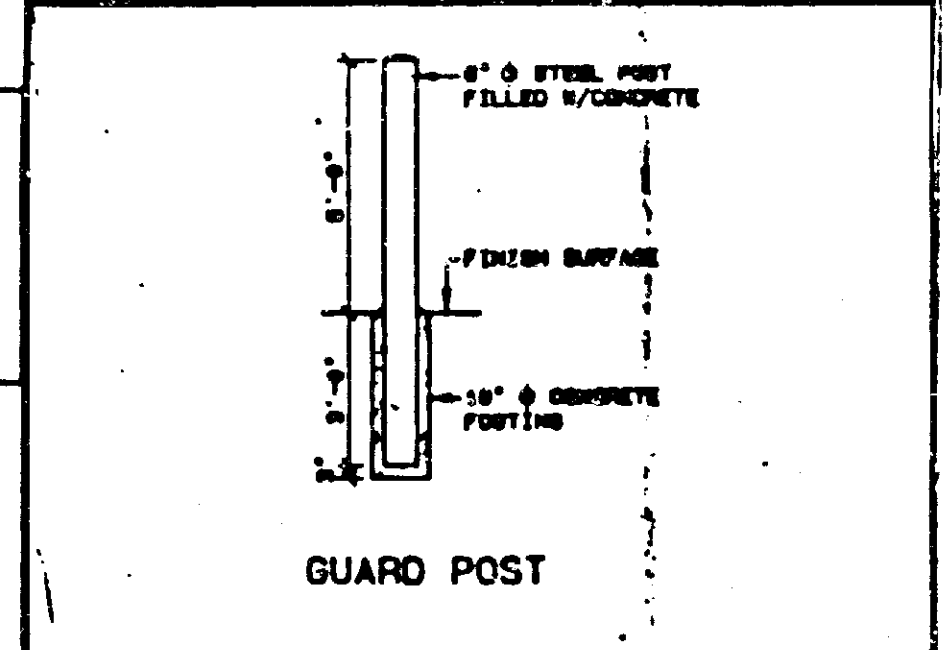
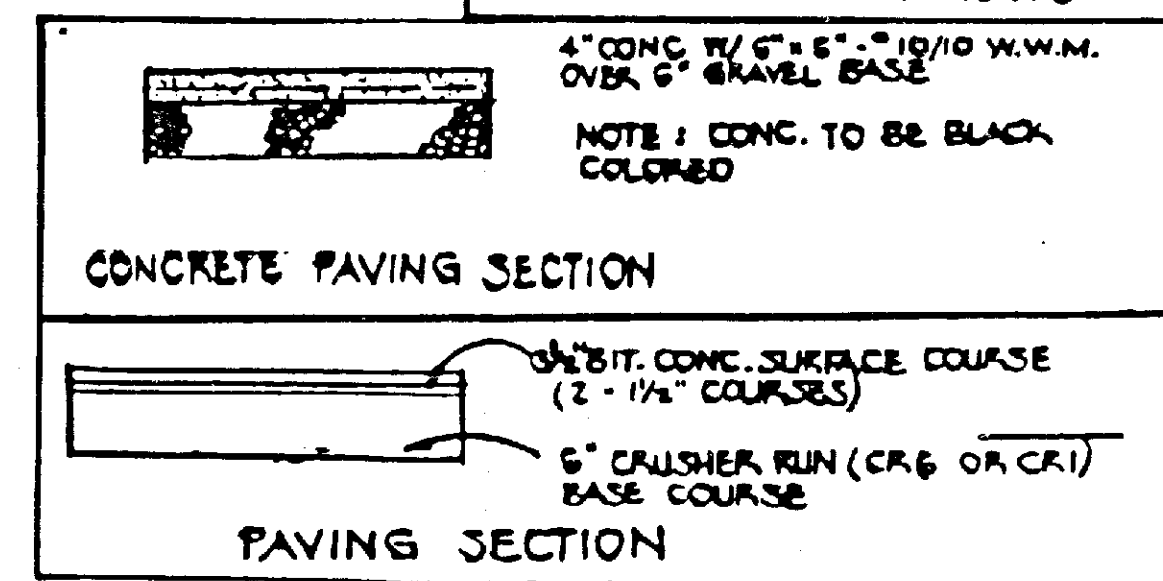
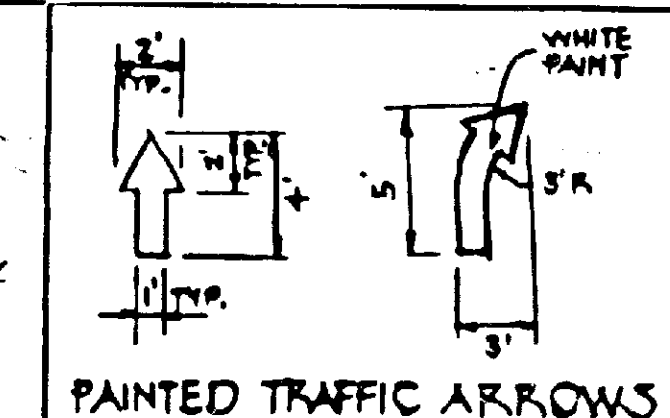
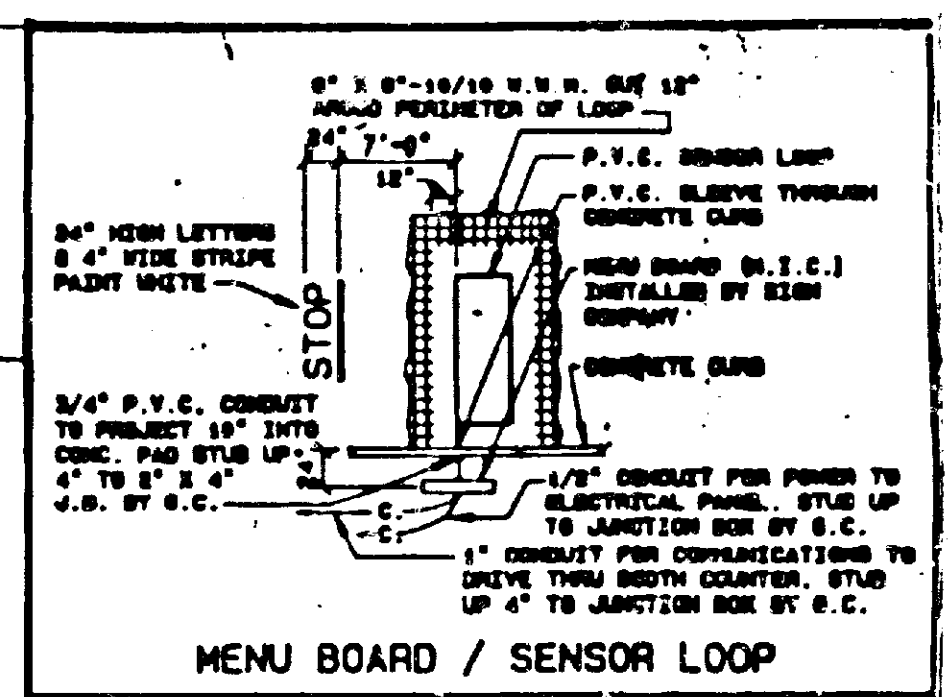
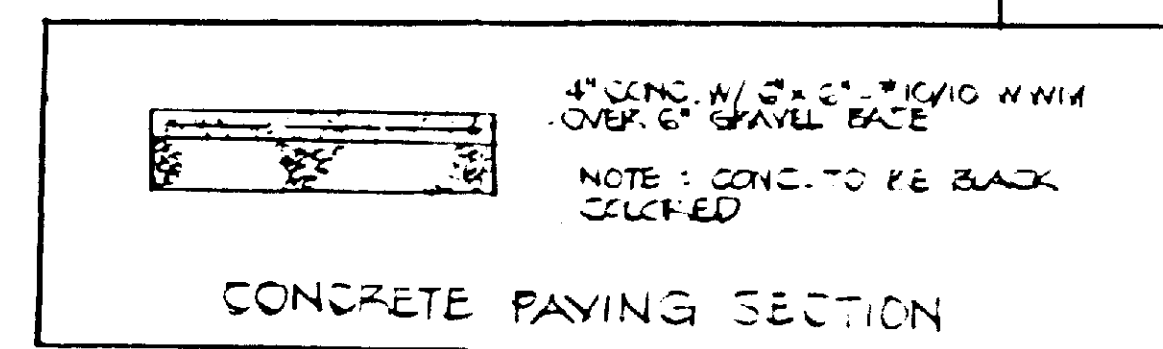
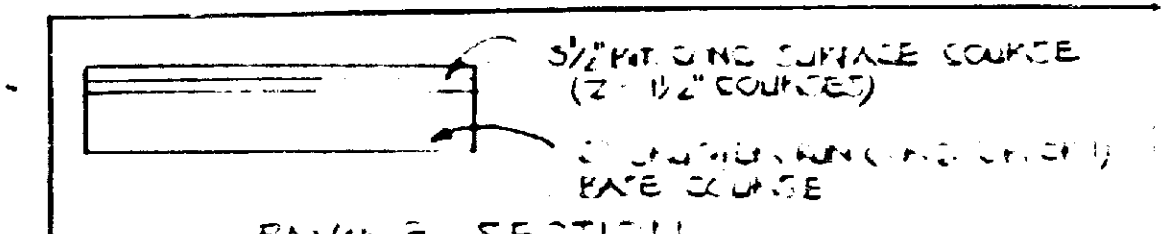
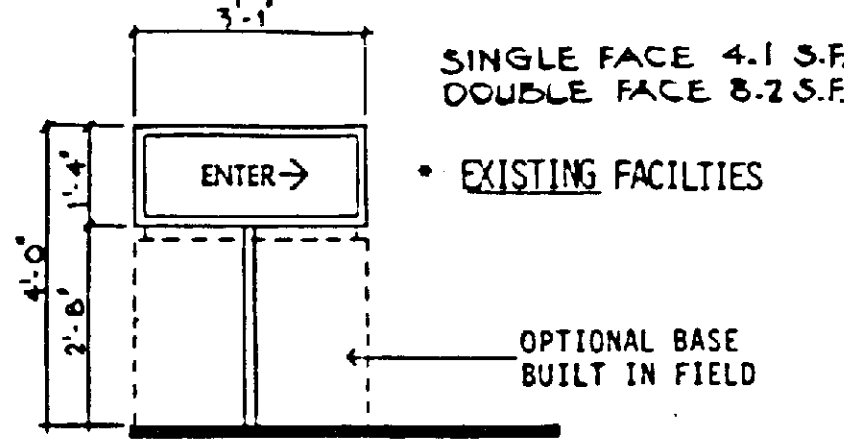
LOCATION PLAN
SCALE 1"=1000'

LEGEND
EXISTING CONTOURS 222
PROPOSED ELEVATION 222
NEW CONCRETE CURB
NEW MACADAM PAVING
NEW CONCRETE PAVING OR WALK
DRIVE THRU STACKING SPACES
TRAFFIC DIRECTIONAL ARROWS
DO NOT ENTER
PAINTED WHITE (24" HIGH)
NEW LT POLE

EXIST. ELEVATIONS 222.7

BENCH MARK
X-822 ELEV. 272.046
7/8" IRON PIP AT THE N.E. CORNER
BELAIR ROAD AND FULLERTON AVENUE.

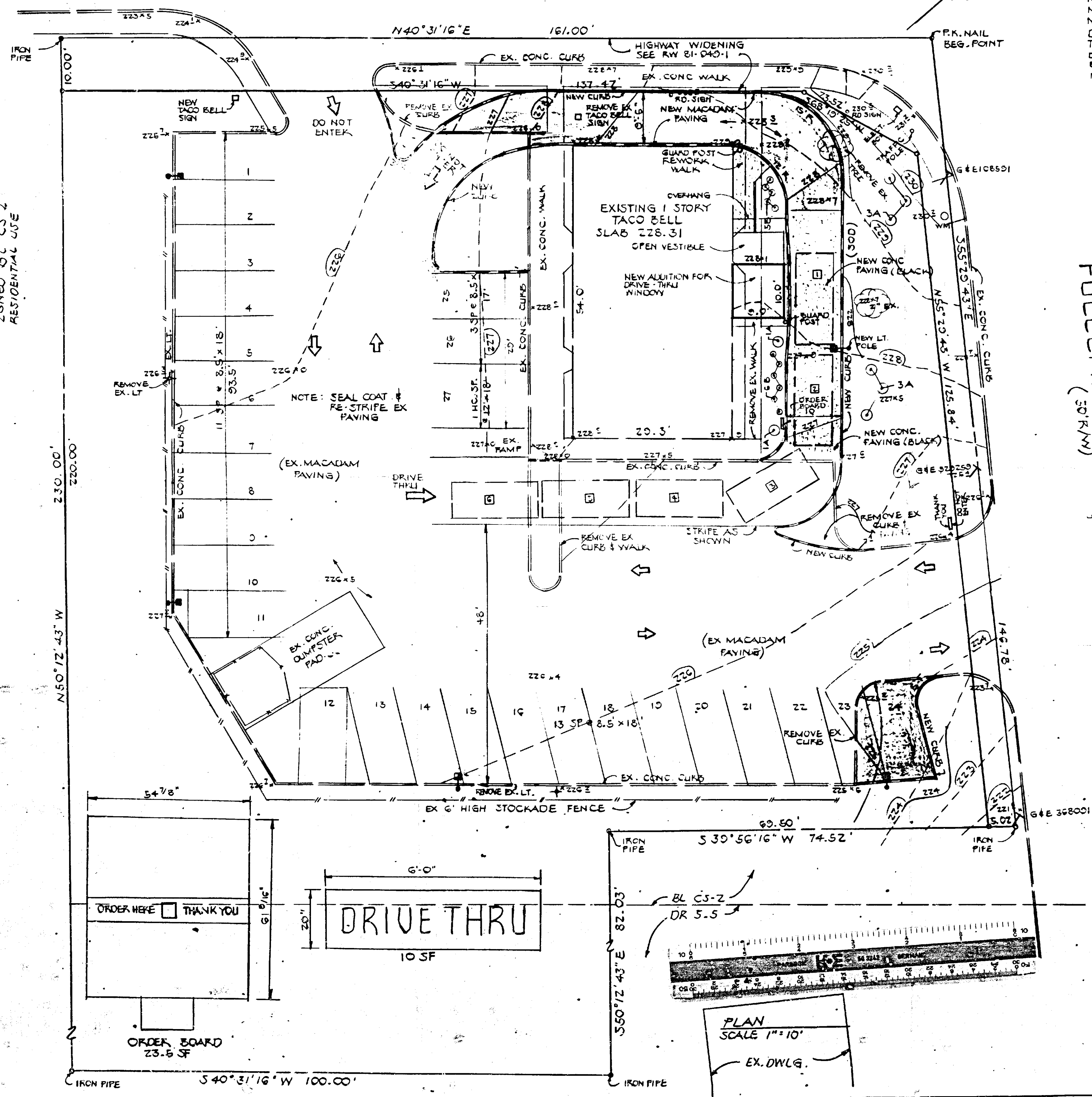
- NOTES:
1. EXISTING BL CS-2 FOR 5.5
 2. CROSS AREA 3.77 AC & NET AREA 2.719 AC & 1940 SF
 3. BLDG AREA 1940 SF
 4. PARKING DATA
REQUIRED 12-0/50 73 SPACES
PROVIDED 27 7-1-85



FULLERTON AVENUE (50' R/W)

NOTE: VARIANCE GRANTED 8/29/86
FOR 3 SIGNS - TOTAL: 185.10 SQ. FT.
DIF 87-47-A RLM/WCR OK 12/11/86

ZONED BL CS-2
RESIDENTIAL USE



245
87-3637

SITE PLAN FOR
PROPOSED DRIVE THRU

TACO BELL

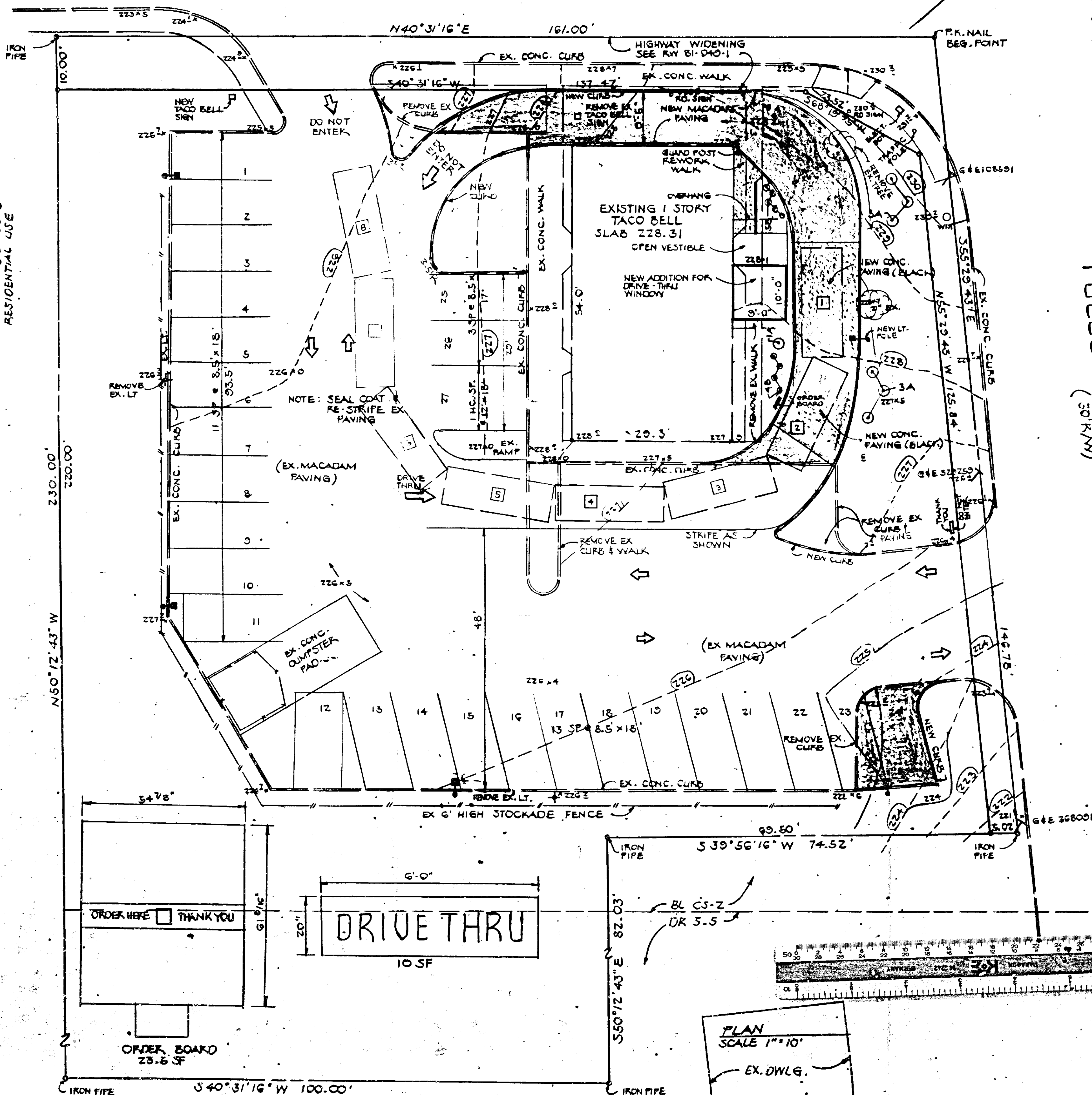
7407 BELAIR ROAD
ELECT DISTRICT 14 EASTG. CO MARYLAND

FEB 22, 1986	REV 12-5-86	TAX MAP 21 PARCEL 256 LOT 3 & 4
SCALE 1"=10'		

J.O. 6551

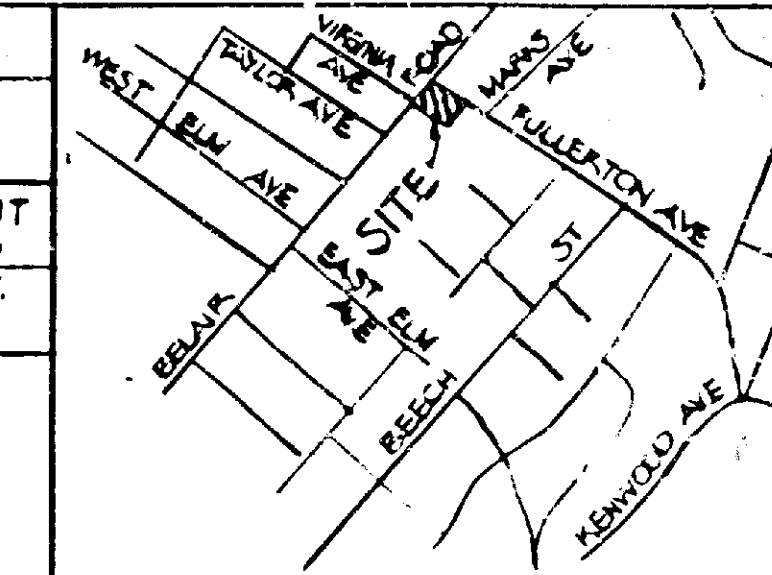
BELAIR ROAD (U.S. RTE. 1)
(60' R/W)

ZONED B.L. CS-2
RESIDENTIAL USE



FULLERTON AVENUE
(30' R/W)

PLANT SCHEDULE			
KEY	QUANT.	BOTANICAL NAME COMMON NAME	SIZE
A	7	TAXUS CUSPIDATA INTERMEDIA MEDIA YEW	3'0" HT 6 1/2"
B	9	TAXUS CUSPIDATA NANA DWARF YEW	18" HT. 6 1/2"



LEGEND
EXISTING CONTOURS 222
PROPOSED ELEVATION 222
NEW CONCRETE CURB
NEW MACADAM PAVING
NEW CONCRETE PAVING OR WALK
DRIVE THRU STACKING SPACES
TRAFFIC DIRECTIONAL ARROWS
DO NOT ENTER
PAINTED WHITE (24" HIGH)
NEW LT. POLE

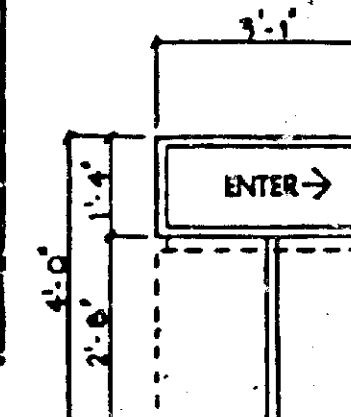
EXIST. ELEVATIONS 222 ± 7

BENCH MARK
X-828
78" IRON BAR AT THE N.E. CORNER
BELAIR ROAD AND FULLERTON AVENUE.
ELEV. 232.046

NOTES:
1. EX. ZONING B.L. CS-2 FOR S.B.
2. GROSS AREA 0.775 AC. NET AREA 0.710 AC.
3. BLDG. AREA 1940 SF
4. PARKING DATA
REQUIRED 1840/50 33 SPACES
PROVIDED 27 SPACES

SINGLE FACE 4:1 S.F.
DOUBLE FACE 8:2 S.F.

EXISTING FACILITIES



3/4" BIT CONC. SURFACE COURSE
(2-1/2" COURSES)
2" CRUSHER RUN (CR-6 OR CR-1)
BASE COURSE

PAVING SECTION

4" CONC. W/ 2" G. 10/10 W.W.M.
OVER 6" GRAVEL BASE
NOTE: CONC. TO BE BLACK
COLORED

CONCRETE PAVING SECTION

PAINTED TRAFFIC ARROWS
4" CONC. W/ 2" G. 10/10 W.W.M.
OVER 6" GRAVEL BASE
NOTE: CONC. TO BE BLACK
COLORED

CONCRETE PAVING SECTION

3/4" BIT CONC. SURFACE COURSE
(2-1/2" COURSES)
2" CRUSHER RUN (CR-6 OR CR-1)
BASE COURSE
PAVING SECTION

6" x 6" x 10'10" U.S.S. 1015
OVER 6" GRAVEL BASE
P.V.S. SENSOR LOOP
P.V.S. GROUND TROUBLE
CONCRETE CURB
NEW BRASS B.L.T.E.I.
DETAILS BY E.C.H.
1/2" CONCRETE PER POWER TO
ELECTRICAL PANEL. STUD UP
TO JUNCTION BOX BY E.C.
1" CONCRETE PER CONNECTION TO
DRIVE THRU WINDOW. STUD
UP 4" TO JUNCTION BOX BY E.C.

MENU BOARD / SENSOR LOOP

6" x 6" x 10'10" U.S.S. 1015
OVER 6" GRAVEL BASE
P.V.S. SENSOR LOOP
P.V.S. GROUND TROUBLE
CONCRETE CURB
NEW BRASS B.L.T.E.I.
DETAILS BY E.C.H.
1/2" CONCRETE PER POWER TO
ELECTRICAL PANEL. STUD UP
TO JUNCTION BOX BY E.C.
1" CONCRETE PER CONNECTION TO
DRIVE THRU WINDOW. STUD
UP 4" TO JUNCTION BOX BY E.C.

GUARD POST

PAVEMENT SUBGRADE
REF. TO THIS POINT
4" SAND OVER 2000
P.S.I. 1000 P.S.I.
ALL CURBS TO BE 1000
P.S.I. 1000 P.S.I.
4" SAND OVER
TOP 2" BUTTER
PROVIDE EXPANDED
JOINTS AT 10'-0" O.C.

CONCRETE CURB

MJ-60 CURB DETAIL
AT DRIVE THRU WINDOW

1. Compliance with the requirements of the Baltimore County Landscape Manual (BCLM).
2. A revised site plan, which has been approved by the Department of Traffic Engineering, shall be submitted to the Zoning Commissioner.



APPROVED
DEPT. OF TRAFFIC ENG.
BALTIMORE COUNTY

APR 14 1987

APPROVED
DEPT. OF TRAFFIC ENG.
BALTIMORE COUNTY

87-363-A
SITE PLAN FOR
PROPOSED DRIVE-THRU
TACO BELL
7407 BELAIR ROAD
ELECT. DISTRICT 14 BALTO. CO. MARYLAND
FEB 22, 1986 REV. 1-5-86 TAX MAP 81
SCALE 1"=10' REV. 4-12-87 PARCEL 656
LOT 5 46

J.O. 6551